



# House of Representatives

General Assembly

**File No. 129**

*January Session, 2003*

House Bill No. 6442

*House of Representatives, April 1, 2003*

The Committee on Insurance and Real Estate reported through REP. OREFICE of the 37th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR ADOPTED CHILDREN.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-508 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Each individual health insurance policy providing coverage of  
4 the type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of  
5 section 38a-469 delivered, issued for delivery, amended, renewed or  
6 continued in this state shall provide coverage for a child legally placed  
7 for adoption with the insured or subscriber who is an adoptive parent  
8 or a prospective adoptive parent, even though the adoption has not  
9 been finalized, provided the child lives in the household of such  
10 insured or subscriber and the child is dependent upon such person for  
11 support and maintenance.

12 (b) Coverage for such child legally placed for adoption shall consist

13 of coverage for injury and sickness including necessary care and  
14 treatment of medically diagnosed congenital defects and birth  
15 abnormalities within the limits of the policy.

16 (c) If payment of a specific premium or subscription fee is required  
17 to provide coverage for a child legally placed for adoption with the  
18 insured or subscriber who is an adoptive parent or a prospective  
19 adoptive parent, the policy or contract may require that notification of  
20 acceptance of such child and payment of the required premium or fees  
21 be furnished to the insurer, hospital or medical service corporation or  
22 health care center within thirty-one days after the acceptance of such  
23 child in order to continue coverage beyond such thirty-one-day period,  
24 provided failure to furnish such notice or pay such premium or fees  
25 shall not prejudice any claim originating within such thirty-one-day  
26 period.

27 (d) Such policy (1) shall cover such child legally placed for adoption  
28 on the same basis as other dependents, and (2) may not contain any  
29 provision concerning preexisting conditions, insurability, eligibility or  
30 health underwriting approval for a child legally placed for adoption,  
31 except that an insurer, hospital or medical service corporation or  
32 health care center may require medical underwriting for a child legally  
33 placed for adoption if required premiums and completed application  
34 materials are not provided to the insurer, hospital or medical service  
35 corporation or health care center before the expiration of the thirty-  
36 one-day period following the date the adopted child was accepted for  
37 coverage under the policy.

38 Sec. 2. Section 38a-549 of the general statutes is repealed and the  
39 following is substituted in lieu thereof (*Effective October 1, 2003*):

40 (a) Each group health insurance policy providing coverage of the  
41 type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of  
42 section 38a-469 delivered, issued for delivery, amended, renewed or  
43 continued in this state shall provide coverage for a child legally placed  
44 for adoption with an employee or other member of the covered group  
45 who is an adoptive parent or a prospective adoptive parent, even

46 though the adoption has not been finalized, provided the child lives in  
47 the household of such employee or member and the child is dependent  
48 upon such employee or member for support and maintenance.

49 (b) Coverage for such child legally placed for adoption shall consist  
50 of coverage for injury and sickness including necessary care and  
51 treatment of medically diagnosed congenital defects and birth  
52 abnormalities within the limits of the policy.

53 (c) If payment of a specific premium fee is required to provide  
54 coverage for a child legally placed for adoption with the insured or  
55 subscriber who is an adoptive parent or a prospective adoptive parent,  
56 the policy may require that notification of acceptance of such child and  
57 payment of the required premium or fees be furnished to the insurer,  
58 hospital or medical service corporation or health care center within  
59 thirty-one days after the acceptance of such child in order to continue  
60 coverage beyond such thirty-one-day period, provided failure to  
61 furnish such notice or pay such premium or fees shall not prejudice  
62 any claim originating within such thirty-one-day period.

63 (d) Such policy (1) shall cover such child legally placed for adoption  
64 on the same basis as other dependents, and (2) may not contain any  
65 provision concerning preexisting conditions, insurability, eligibility or  
66 health underwriting approval for a child legally placed for adoption,  
67 except that an insurer, hospital or medical service corporation or  
68 health care center may require medical underwriting for a child legally  
69 placed for adoption if required premiums and completed application  
70 materials are not provided to the insurer, hospital or medical service  
71 corporation or health care center before the expiration of the thirty-  
72 one-day period following the date the adopted child was accepted for  
73 coverage under the policy.

This act shall take effect as follows:	
Section 1	October 1, 2003
Sec. 2	October 1, 2003

**INS**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Comptroller Misc. Accounts (Fringe Benefits)	Various - None	None	None
Insurance Dept.	IF - None	None	None

Note: IF=Insurance Fund

**Municipal Impact:** None

**Explanation**

The bill amends the medical underwriting requirement for adopted children to be on an equal basis with other covered dependents and has no impact to the state.

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**OLR Bill Analysis**

HB 6442

**AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR  
ADOPTED CHILDREN****SUMMARY:**

This bill establishes an exception to the prohibition against certain policy provisions that affect insurance coverage for adopted children. It permits an insurer, hospital or medical service corporation, or health care center (HMO) to medically underwrite the coverage of an adopted child if the required premium and completed application are not received by the insurer, hospital or medical service corporation, or HMO before the expiration of the 31-day period following the date the adopted child was accepted for coverage under the policy.

Under current law, a legally adopted child may be added to his adoptive parent's individual or group health insurance policy and no preexisting condition, insurability, eligibility or underwriting approval provision may be imposed against him if the insurer is given notice of the adoption and paid any additional premium within 31 days of the insurer's acceptance of the adopted child.

EFFECTIVE DATE: October 1, 2003

**POLICIES SUBJECT TO THE REQUIREMENT**

The bill applies to individual and group policies that pay for (1) basic hospital expenses, (2) basic medical-surgical expenses, (3) major medical expenses, (4) accident expenses, (5) limited benefit expenses, (6) hospital or medical expenses, and (7) hospital and medical expenses paid by HMOs. The policy must be delivered, issued for delivery, amended, renewed or continued in Connecticut on or after October 1, 2003.

**COMMITTEE ACTION**

Insurance and Real Estate Committee

Joint Favorable Report

Yea 16      Nay 0

